



U.S. Department of Justice

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

July 14, 2021

**BY ECF**

The Honorable Paul G. Gardephe  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re:   *United States v. Michael Avenatti,*  
      **S1 19 Cr. 373 (PGG)****

Dear Judge Gardephe:

The Government respectfully submits the attached letter from NIKE, Inc. (“Nike”), pursuant to the Court’s order during the sentencing proceeding on July 8, 2021, for additional detail and support for the restitution request in this case. Because, for the reasons set forth in the attached letter, the evidence before the Court provides a basis for a reasonable estimate of the actual loss to Nike that is recoverable under both Second Circuit case law and the Supreme Court’s decision in *Lagos v. United States*, 138 S. Ct. 1684, 1690 (2018), the Government requests that the Court order restitution in the amount of \$856,162, to be paid only after any individual victims in the defendant’s other pending cases are paid restitution, if ordered, as sought by Nike.

Respectfully submitted,

AUDREY STRAUSS  
United States Attorney

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Attachment

cc:     (by ECF)

Counsel of Record